

FITZPATRICK, CELLA, HARPER & SCINTO

650 Town Center Drive, Suite 1800
Costa Mesa, California 92626
(714) 540-8700

Facsimile: (714) 540-9823

RECEIVED
CENTRAL FAX CENTER

AUG 09 2005**FACSIMILE COVER SHEET**

TO: U.S. Patent & Trademark Office
Central Facsimile

FROM: Edward A. Kmetz (Reg. No.: 42,746)

RE: U.S. Application No. 09/866,666
Attn: Examiner J. Sterrett
Group Art Unit 3623
Atty. Docket No. 03500.015626.

FAX NO.: (571) 273-8300

DATE: August 9, 2005

NO. OF PAGES: 3
(including cover page)

TIME: 3:32pm

SENT BY: *MA*

MESSAGE

Transmitted herewith is a Response To Election Requirement in response to the Office Action dated July 12, 2005.

I hereby certify that this correspondence is being facsimile transmitted to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

August 9, 2005

(Date of Transmission)

Edward A. Kmetz (Reg. No. 42,746)

(Name of Attorney for Applicant)

Edward A. Kmetz

Signature

August 9, 2005

Date of Signature

**IF YOU DO NOT RECEIVE ALL THE PAGES
PLEASE CALL 714-540-8700 AS SOON AS POSSIBLE.**

Note: We are transmitting from a Canon Model FAX-L770
(compatible with any Group I, Group II or Group III machine).

THIS FACSIMILE MESSAGE AND ACCOMPANYING DOCUMENTS ARE INTENDED ONLY FOR THE USE OF THE ADDRESSEE INDICATED ABOVE. INFORMATION THAT IS PRIVILEGED OR OTHERWISE CONFIDENTIAL MAY BE CONTAINED THEREIN. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, REVIEW OR USE OF THIS MESSAGE, DOCUMENTS OR INFORMATION CONTAINED THEREIN IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE OR FACSIMILE AND MAIL THE ORIGINAL TO US AT THE ABOVE ADDRESS. THANK YOU.

03500.015626.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

AUG 09 2005

In re Application of:)
YOSHITAKA YAMAJI, et al.)
Application No.: 09/866,666)
Filed: May 30, 2001)
For: ORDER TAKING APPARATUS,)
ORDER TAKING METHOD,)
STORAGE MEDIUM, AND)
PROGRAM)

Examiner: J. Sterrett
Group Art Unit: 3623
August 9, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION REQUIREMENT

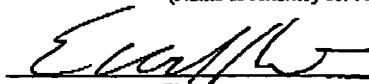
Sir:

In response to the Election of Species Requirement dated July 12, 2005,
Applicants hereby elect to prosecute the Species I claims, namely Claims 7, 13 to 17, 24,
30 to 34, 37 and 40, together with generic Claims 5, 6, 8 to 12, 22, 23, 25 to 29, 36 and 39,
which have been indicated as being generic to both species. Once the generic claims have
been allowed, the Examiner is respectfully requested to rejoin the non-elected claims of
Species II.

I hereby certify that this correspondence is being facsimile transmitted
to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-
1450 on

August 9, 2005
(Date of Transmission)

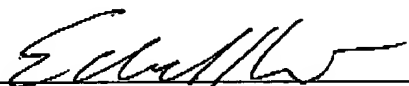
Edward A. Kmetz (Reg. No. 42,746)
(Name of Attorney for Applicant)


Signature

August 9, 2005
Date of Signature

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicants
Edward A. Kmett
Registration No.: 42,746

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

CA_MAIN 100208v1